

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LARRY JOHN CURLEE,
Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION,
Defendant.

Case No. 1:23-cv-01116-KES-SKO

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS
THIS CASE AS DUPLICATIVE OF 1:22-
cv-01593-JLT-BAM

(Doc. 21)

Plaintiff Larry John Curlee, proceeding pro se, filed a civil rights action against the Social Security Administration on July 27, 2023. Doc. 1. On May 7, 2024, the assigned magistrate judge issued findings and recommendations that this case be dismissed as duplicative of the earlier-filed case *Curlee v. Social Security Administration*, Case No. 1:22-cv-01593-JLT-BAM, filed by plaintiff on December 13, 2022. Doc. 21. The findings and recommendations were served on plaintiff and notified him that any objections were to be filed within fourteen days of service. *Id.* at 4.

On May 17, 2024, plaintiff filed objections, conceding that the two actions are duplicative and that one of the cases should be dismissed, but requesting that the earlier-filed case (1:22-cv-01593) be dismissed instead of the present case (1:23-cv-01116). *See* Doc. 22. Plaintiff does not meaningfully object to the findings and recommendations. The court notes that the magistrate

1 judge is authorized to screen the complaint by 28 U.S.C. § 636(b)(1) and Local Rules 302 and
2 304. Plaintiff's objections provide no basis upon which to reject the pending findings and
3 recommendations.

4 In accordance with 28 U.S.C. § 636(b)(1), this court conducted a de novo review of the
5 case. Having carefully reviewed the matter, including plaintiff's objections, the court finds the
6 findings and recommendations are supported by the record and proper analysis.

7 Based upon the foregoing, the court ORDERS:

- 8 1. The findings and recommendations filed May 7, 2024 (Doc. 21) are ADOPTED IN
9 FULL.
- 10 2. This action is DISMISSED as duplicative of *Curlee v. Social Security*
11 *Administration*, Case No. 1:22-cv-01593-JLT-BAM.
- 12 3. The Clerk of Court shall terminate any pending motions and CLOSE this case.
13
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15 IT IS SO ORDERED.

16 Dated: June 17, 2024


UNITED STATES DISTRICT JUDGE